IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14528 of 2005

Between:

D. Satyanarayana S/o Malliah
Part time Lecturer in History R/o Room No.4 Old. P.G. Hostel
Osmania University Campus, Hyderabad

..... PETITIONER

AND

1 Osmania University rep by Registrar, Osmania University Campus, Hyderabad
2 The Principal OU College for women Koti, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the 2n respondent in not continuing the petitioner in the post of Part time Lecturer in the Department of History in 2nd respondent's college and calling for applications to fill up the said post by notification dated 30-6-2005 as arbitrary, illegal and contrary to law and consequently direct the respondnets-1 and 2 herein to continue the petitioner as part time Lecturer in the Department of History in the 2nd respondent’s college, as usual forthwith, and pass such other or further orders as are necessary.

Counsel for the Petitioner: MR C.RAJA SEKHAR REDDY

Counsel for the Respondent No.: MR.DEEPAK BHATTACHARJEE

The Court at the stage of admission made the following :

ORDER:

This Writ Petition is filed by the petitioner, seeking Writ of Mandamus, declaring the action of the second respondent in not continuing the petitioner in the post of Part time Lecturer in the second respondent-College and calling for applications to fill up the said post by notification dated 30.6.2005 as illegal, arbitrary and contrary to law, and consequently, direct the respondents 1 and 2 herein, to continue the petitioner as Part time Lecturer.

It is stated that the petitioner was appointed as Part time Lecturer for the academic year 2004-05. As the said period had expired, the respondents have issued a fresh notification dated 30.6.2005, calling for the applications for appointing the Part time Lecturers for the academic year 2005-06. It is stated that the petitioner made an application for being selected and appointed as Part time Lecturer for the present academic year. However, the grievance of the petitioner is that having appointed for the earlier academic year, he ought to have been continued as Part time Lecturer for the academic year 2005-06, instead of issuing fresh notification again. At the time of hearing, the learned counsel also contended that the petitioner had appeared for the interview along with three others and petitioner alone has got

one year experience in the said college, therefore, he should be given at least preference and accordingly sought for a direction.

The learned counsel appearing for the respondent- University, however, opposed the said contention.

Heard both sides and considered the material on record.

The petitioner was originally appointed as Part time Lecturer in History, only for the academic year 2004-05, which had already expired. Therefore, the question of continuing the petitioner for the next academic year does not arise. Similarly, when a notification was issued, it is for the petitioner to appear along with other applicants for the selection process and it is for the selection Committee, to consider the candidates appeared for the selection to select the candidate, as Part time Lecturers on merits and this court cannot issue any direction to give any preference either to the petitioner or to some other applicant.

The Writ Petition is accordingly dismissed as devoid of merits. No order as to costs.

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S. ANANDA REDDY, J

DATED: 08/07/2005

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To

1 The Registrar, Osmania University, Osmania University Campus, Hyderabad
2 The Principal O.U. College for women Koti, Hyderabad

3. Two CD copies.